

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION
NOTICE OF MOTION NO. 2226 OF 2003
IN
SUIT NO. 3903 OF 1988

Mrs.Fatima wd/o.Moosabhai Agwan & Ors. ..Plaintiffs.
Versus
Hajiyani Khatijabai & Ors. ..Defendants.

Ms. K.C. Nichani for the plaintiffs.
Mr. P.M. Shah for the Defendants.

CORAM : S. J. VAZIFDAR, J.
DATED : 18TH NOVEMBER, 2005.

P.C.:

1. By this notice of motion, the plaintiffs have sought a direction, directing the court receiver to seal the premises namely, Room No. 13 in the suit property.

2. Notice of motion is taken out on the presumption that the receiver who was appointed by the order of this court dated 12th June, 1990 continues to be in possession of the suit property. However, by an order dated 17th September, 1993 the receiver was discharged in respect of the suit property and the receiver was directed to hand over the possession of the building to MHADA. The receiver, therefore, does not continue in respect of the suit property. The notice of motion is, therefore, misconceived.

3. Notice of motions is dismissed.

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